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IN THE DRAWINGS

Applicant proposes amending Figure 2 by replacing reference numeral "130" referencing the crankshaft with reference numeral "103". A formal replacement sheet of drawings incorporating the proposed change is enclosed.

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REMARKS

Reconsideration and reexamination are requested in view of the above amendments and the following remarks. Non-elected claims 1-5 are canceled without prejudice or disclaimer. Claims 6-10 are amended. Claims 6-10 are pending.

I. Amendments

Figure 2 has been amended to correct a typographical error with respect to reference numeral 103. The change to Figure 2 is supported by page 25, line 10.

The amendments to claim 1 are supported by the original disclosure, for example page 17, lines 4-7; page 26, lines 9-22; and Figures 9 and 18.

The amendments to claims 7-10 are grammatical in nature and improve the form thereof.

No new matter has been added.

II. Rejections

Claims 6-10 are rejected under 35 USC 102(b) as being anticipated by Matsumura et al. (US 5,887,673). Applicant respectfully traverses.

Matsumura does not disclose a low-deck vehicle where the air intake connecting hoses do not extend above the upper frames. Since the hoses do not extend above the upper frames, the air cleaner structure and other structure of the vehicle can be lowered. See, e.g., page 26, lines 9-22.

The rejection characterizes elements 2a, 2b of Matsumura as an upper frame, and elements 8, 9 as air intake connecting hoses. However, the element 9 extends above the elements 2a, 2b. As a result, the air cleaner casing 6 itself extends above the elements 2a, 2b, which then impacts the construction and placement of the fuel tank.

For at least this reason, claim 6 is not anticipated by Matsumura.

Claims 7-10 depend from claim 6 and are patentable along with claim 6. Applicants do not concede the propriety of the rejections to claims 7-10. For example, with respect to claim 8, Matsumura does not appear to disclose a triangular space where a filter element of the air cleaner can be taken out. The rejection suggests that this feature is found in Matsumura, but the rejection does not point to any specific structure in

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Matsumura where this feature is found and Applicant cannot find such a feature in Matsumura. In addition, with respect to claim 10, Matsumura does not appear to disclose a radiator disposed forwardly of the head pipe. A radiator is not even disclosed in Matsumura, and there is no indication anywhere that the motorcycle disclosed in Matsumura includes a radiator disposed forwardly of the head pipe.

III. Conclusion

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.



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Respectfully submitted,

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